

## Staff Summary Report



Council Meeting Date:

5/6/2010

Agenda Item Number: \_\_\_\_\_

**SUBJECT:** Request approval of the settlement in Lopez, et al. v. City of Tempe, CV2009-052689

**DOCUMENT NAME:** 20100506cacc01 LITIGATION SETTLEMENTS (0501-04)

**COMMENTS:** The Plaintiffs have agreed to dismiss with prejudice all claims against the City of Tempe in exchange for One Million Nine Hundred Thirty-Three Thousand Six Hundred Thirty-Three Dollars (\$1,933,633.00). Because one of the Plaintiffs is a minor, this settlement agreement is contingent on receiving approval from the Court. The Plaintiffs are in the process of attempting to obtain court approval of the settlement.

**PREPARED BY:** Clarence E. Matherson, Jr., Assistant City Attorney (350-8840)

**REVIEWED BY:** Clarence E. Matherson, Jr., Assistant City Attorney (350-8840)

**LEGAL REVIEW BY:** Clarence E. Matherson, Jr., Assistant City Attorney (350-8840)

**DEPARTMENT REVIEW BY:** Andrew B. Ching, City Attorney (350-8575)

**FISCAL NOTE:** Sufficient funds from Risk Management's self-insured retention fund have been appropriated

**RECOMMENDATION:** Approve the settlement

**ADDITIONAL INFO:** A copy of the Settlement Agreement is attached.